[श्री पशुपतिनाथ सूकुल]

लगे मजदूरों को ई०एस०आई० और प्राविडेंट फंड की सुविधा दिलाये तथा उचित कदम उठाकर हीरों का निर्यात 2400 करोड़ के बजाय 6000 करोड़ तक बढ़ाने का प्रयास करे ताकि कम से कम 5 लाख लोगों को रोजगार मिल सके और राष्ट्रीय आय में भी वृद्धि हो सके। धन्यवाद।

Delay in Taking Action against Tihar Jail officials Responsible for Misbehaving with a member of Rajya Sabha

SHRI M. A. BABY (Kerala): Thank you, Mr. Vice-Chairman, Sir, for giving this opportunity. I want to raise an issue which is related to the honour of this House and the importance and the inviolability of the ruling of the Chair. This relates to the rare manifestation of solidarity shown by the entire House on the Tihar Jail incident on 3rd November. I do not want to bring to the notice of the House what happened in front of the Tihar Jail that day because we had discussed that. I was manhandled, I was beaten, and I was thrown out of the quadrangle of that jail. I do not want to repeat all that. The entire House expressed its exasperation and condemnation over that incident. And I have the whole proceedings before me. It was said in the House that an enquiry has been ordered and so the Members need not get agitated. But the whole House demanded that there should be immediate action against the concerned Jail officers. And it was assured that the Government, either the Home Minister or somebody deputed by the Home Minister, will make a statement in the House. I have the proceedings before me. With your permission, Sir, I just quote them.

This is what the Deputy Chairman said: "I think after hearing the sentiments of the Members, the entire House, and the Chair, everybody feels and I also feel and I would request the Minister of Parliamentary Affairs to ask the Home Minister if he can come and report to the House about what had happened since yesterday and today. (*Interruptions*). As soon as he can come, whenever he comes, he will tell you. I cannot say what action has been taken. He can only tell you what action has been taken. Mr. Buta Singh gave an assurance and I think it will be in the fitness of things that Mr. Buta Singh or whomsoever he assigns should come and tell the House. I think the matter is now over." This was the assurance given. The Minister of State for Parliamentary Affairs, Mr. M. M. Jacob said, I will convey the sentiments of the House. Then on the 25th the issue was raised because on the 23rd night the dharna of Members of Parliament was lifted from in front of Tihar Jail, on the basis of a telephonic assurance given by Mr. Buta Singh to Mr. Amul Dutta, an Hon. Member of the other House, and Mr. Samar Mukherjee, the leader and veteran Member of Parliament, and Mr. Satyanarayan Reddy, Dr. Vijaya Mohan Reddy and many other Members of Parliament were there, and Mr. Buta Singh assured and told Mr. Amul Dutta that you can announce this in front of the Tihar Jail before Members of Parliament, public, press, whoever is there, there was big crowd and this was announced, but when Parliament sat next day, there was no action taken. But on the basis of the assurance given and the directive given by the Chair, we did not want to proceed further. Next day we asked, what has happened. Then the Minister of State in the Ministry of Parliamentary Affairs, Mr. M. M. Jacob said, I have conveyed this to the Home Minister and some inquiry has already started. I am told that they are coming with some information later. This was said on the 25th November 1988 almost a month ago. Now, we thought that this is an assurance given on the floor of the House the entire House expressed its feelings, the Chair also associated

with those feelings in a rare manifestation of solidarity. We thought that something will be forthcoming from the Home Minister because Home Minister is after all the Home Minister of this big democratic country. He has given an assurance to a group of Members of Parliament. He did not stick to that assurance. Next day he did not stick to the assurance of taking immediate disciplinary action on the erring official of Tihar Jail. We expected that the Home Ministry must be waiting for a preliminary inquiry. Within a week the preliminary inquiry could be obtained. This was the assurance given by the Minister of State for Parliamentary Affairs. Then we waited and waited. Within three days a representative of the inquiry commission came to me and took my statement on the 26th November. So we waited a week. Then again we waited for a week. We never thought that the representatives of the Central Government, that too the Home Minister, will take the House for a ride. We never thought that the Home Minister will consider an assurance given on the floor of the House as irrelevant, which can be ignored like that. We never expected that. Perhaps, we might have been overestimating the behaviour of the Central Government, but as the entire House stood behind the issue we did not want to create an impression that we were trying to take political capital out of the whole thing. Even today we do not want to do that.

Now, apart from what happened to me, certain other important things are involved in the whole matter now. This was an assurance given by the Home Minister which the Home Minister unfortunately has violated in a most unceremonious fashion. Secondly, the feelings of the whole House, the entire House, have been ignored like anything. Thirdly, the directive given by the Chair that either the Home Minister or anybody deputed by him should come and tell the House what action has been taken, this was a ruling given by the Chair. The Minister of State for Parliamentary Affairs also kindly reported to the House that the Ministry is awaiting some information as the inquiry process is already started and on the basis of the preliminary report action will be taken. This was the possition. Now, all these assurances have been violated; the honour of the House has been violated.

A letter written by the hon. Home Minister to the hon. Deputy Chairman, Dr. Najmaji, is before me. Hon. Deputy Chairman has kindly forwarded this to me, which states that as the enquiry is on, no action can be taken, and there need not be a discussion in the House. What the House had demanded was that there should be a statement from the Minister.

THE VICE-CHAIRMAN (SHRI SATYA PRAKASH MALAVIYA) : What are the contents of that letter?

SHRI M. A. BABY: The letter says:

"Please refer to our discussions regarding the complaint of Shri M. A. Baby over the incident at Tihar Jail on November 23, 1988.

Immediately on hearing about this incident, I had called for a propore enquiry and assured that action would be taken against those found guilty. Accordingly, the Delhi Admnistration have ordered an enquiry and the detailed enquiry report is awaited.

Please rest assured that deterrent action will be taken against all those found guilty.

In view of the fact that an enquiry is in progress, it may not perhaps be necessary to have a discusion on this issue in the House."

Interestingly, this letter is undated. There is no date in this letter. This is the true copy handed over to me

[Shri M. A. Baby]

by Dr. Najmaji, hon. Deputy Chairman. This is what has happened.

This is the last day of the session. If the Government wants, it can take shelter against the plea that the House adjourns today and there need not be any trouble for another one and a half months or so, and only when the Budget Session starts, the Government may be answerable. This is the kind of behaviour from the Central Government, that too, in relation to an incident involving a Member of Parliament in the capital itself when in exercise of my responsibility as a Member of Parliament, I went into the jail to enquire about some happening there. They prevented me from exercising my responsibility as a Member of Parliament. Not only that, over this unfortunate episode, an assurance was given in the House; a ruling was given by the hon. Deputy Chairman who was presiding at that time. All that has been violated which is highly unfortunate I do not take this as a personal affront on me; this is an affront on the dignity of this House and I hope that the Government will come out with a clear-cut statement and immediate action will be taken, and the wrong done by the Government in not taking any action as against the assurances given in the House, will be corrected as soon as possible. Thank you.

DR. G. VIJAYA MOHAN REDDY (Andhra Pradesh): I had participated in the dharna and it was lifted on the explicit promise of Mr. Buta Singh. His entire credibility is lost. He should resign. I demand his resignation through you.

SHRI E. BALANANDAN (Kerala): This question really pains everybody who is sitting in the House; it must pain. This is not only a question of Mr. Baby; any Member of Parliament who performs his duty, can be manhandled by a jail official for simply going over there. Can we imagine such kind of a situation that is developing in the country where any official can manhandle a Member of Parliament who simply goes and asks certain questions? He only went to ask about somebody who was in jail, and immediately those people beat him. The whole House rose up to demand immediate steps to be taken. I am only saying that this is a question to be taken up commonly by all those who are in the House. Therefore, we must demand of the Government to tell us what steps are going to be taken. They must punish the guilty officials, and this demand should be raised by the House as a whole. This is my request.

SHRI B. SATYANARAYAN REDDY (Andhra Pradesh): Mr. Vice-Chairman, Sir, it is really astonishing and a matter of regret that...

THE VICE-CHAIRMAN (SHRI SATYA PRAKASH MALAVIYA) : Just one sentence please.

SHRI B. SATYANARAYAN REDDY: I am associating myself with what has been said by my colleague, Mr Baby. When the inicident occurred on the 23rd November, I was one of those who participated in the dharna against the behaviour of the jail officials with our colleague. Immediately, the matter was brought to the notice of the Government and the Home Minister. The Home Minister gave an assurance that action would be taken against the erring officials. The matter was also discussed in the House. The whole House demanded that action should be taken. The Parliamentary Affairs Minister also said that action would be taken against the jail officials. But to our surprise, no action has been taken so far. We wonder whether assurances given by Ministers have any value Great men like Sardar Patel were in charge of the Home Ministry in the past. Every word of these great men stirred the whole nation. They used to stand by their every word and they used to implement their assurances. But now, Ministers give assurances but no implementation. People have completely lost faith

in the Government and in the assurances given by Ministers inside and outside the House.

Through you, Sir, I would request the Central Government and the Home Minister, Mr. Buta Singh, to stand by the assurance given in the House I fully support what Mr. Baby has said and I demand that Government should take immediate action. If the Government fails to take immediate action, the result will be very dangerous. I cannot say at this juncture. A Member of Parliament, in the discharge of his duties, had gone there to meet some inmates there who were agitating for their rights. If this is the attitude of the officials and the Government, the elected representatives cannot tolerate this. We have to think, the whole House has to seriously think, what should be done against the attitude of the Government. In the end, I once again demand that Government should take immediate action.

SHRI ARANGIL SREEDHARAN (Kerala): Sir, the honour and prestige of the House is at stake. When the issue is being raised here, the Minister of Parliamentary Affairs is sitting serene as a statue. I would like to know from him what action he has taken in the matter. I would like to know whether he has spoken to the Home Minister and brought to his notice the gravity of the situation. It is a question of our honour. How has he protected the honour of Parliament? As Minister of Parliamentary Affairs, it is his responsibility to protect the dignity of Parliament.

THE VICE-CHAIRMAN (SHRI SATYA PRAKASH MALAVIYA): Mr. Jacob, would you like to say something?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI M. M. JACOB): Hon. Member, Mr. Baby, himself has said that he is reading out the letter received by him and that the letter says that the matter is under enquiry. What else can I say at this stage? (*Interruptions*)

SHRI GHULAM RASOOL MATTO: The letter has been read out. As per the contents of the letter, the enquiry is on. I only request, through you, the hon. Home Minister that the enquiry should be expedited and the erring officials severely punished.

DR. G. VIJAYA MOHAN REDDY (Andhra Pradesh): The promise of Mr. Buta Singh was that the Superintendent would be suspended and an enquiry will be conducted. He has gone back on his promise, on his assurance. That is why I demand his resignation. Nothing sort of his resignation is required.

SHRI MOTURU HANUMANTHA RAO (Andhra Pradesh): Sir, immediate action should be taken and the persons responsible should be suspended. This was the unanimous demand of the House but this has not been implemented at all. How long it takes? One month has passed.

AN HON. MEMBER: The promise is in suspension.

SHRI P. K. KUNJACHEN (Kerala): Sir, I moved a Privilege Motion. An assurance was given to the House that action would be taken. The Motion is still pending. Why has action been taken? The entire House is seized of the question. If no action is taken, the prestige of the House is going to be eroded and the people outside are laughing. If the things are decided like this in this House, we will have to decide the things in our own way. We require protection and, therefore, prompt action is needed on the question.

श्री कैलाशपति मिश्र (बिहार) : उपसभाध्यक्ष महोदय, बेबी जी ने जो कुछ कहा है, पूरे सदन के लिए यह अपमानजनक घटना तो है ही सदन की कस्टोडियन चेयर है और उसके साथ-साथ सब सदस्यों की भावनाओं को लेकर चलना

[श्री कैलाशपति मिश्र]

संसदीय कार्य मंत्री का काम है । महोदय, संसद कार्य राज्य मंत्री जी ने जो उत्तर दिया है, इससे और भयानक निराशा हो रही है । वह समझ नहीं रहे हैं कि वह क्या कर रहे हैं । पत्राचार तो 4 साल तक चलता रहेगा । इससे कोई परिणाम निकलने वाला नहीं है । इसलिए आपसे अनुरोध है कि आप कुछ नियमन और निर्णय दीजिए ताकि सदन की कार्यवाही समाप्त होते होते सरकार की तरफ से रिपोर्ट लेकर मंत्री जी आएं और सदन को अवगत कराएं ।

श्री ईश दत्त यादव (उत्तर प्रदेश) : माननीय उपसभाध्यक्ष महोदय, यह अत्यंत ही गंभीर मामला है । श्री एम० ए० बेबी ने जो विचार व्यक्त किए हैं उनसे मैं अपने आप को संबद्ध करता हूं ।

मान्यवर, इस सदन के अंदर और सदन के बाहर भी गृह मंत्री जी ने आश्वासन दिया कि वह संबंधित कर्मचारी को निलंबित करेंगे और ऐक्शन लेंगे, लेकिन इस सदन में आश्वासन देने के बाद और बाहर भी आश्वासन देने के बाद भी वह कर्मचारी निलंबित नहीं किया गया है । यह पूरे सदन की अवमानना है । इसलिए मैं चाहूंगा कि आप सरकार को निर्देश दें कि वह अविलंब इस बारे में कार्यवाही करे, उस अधिकारी को निलंबित करे । संसदीय कार्य मंत्री तो सदस्यों की भावनाओं को सुनकर गायब हो गए...

उपसभाध्यक्ष (श्री सत्य प्रकाश मालवीय) : दूसरे मंत्री जी हैं ।

श्री ईश दत्त यादव : इसलिए मैं चाहूंगा कि गृह मंत्री जी यहां नहीं हैं तो संसदीय कार्य मंत्री जी को आप निर्देश दें कि उस अधिकारी को तुरन्त निलंबित कर दिया जाए ।

श्रम मंत्रालय में उपमंत्री तथा संसदीय कार्य मंत्रालय में उपमंत्री (श्री राधाकिशन मालवीय) : श्रीमन्, इन्होंने तो जनरल बातें शुरू कर दीं । एक के बाद एक बोले हैं । एक इश्यु हो तो उसका जवाब दिया जाए । जो भी इस विषय पर सदस्यों ने अपने विचार व्यक्त किए है, जो भी प्रश्न उठाए हैं, तथा जो भी भावनाएं सम्मानित सदस्यों ने व्यक्त की हैं, उनको हम गृह मंत्रालय को पहुंचा देंगे ।

[The **Deputy Chairman** in the Chair]

SHRI M. A. BABY: Madam, since you have come....

THE DEPUTY CHAIRMAN: Mr. Baby, I heard you in my room. You think I hear only when I am sitting here, but that is not so. All the time I am listening to the proceedings of the House. I heard the whole discussion and everybody who spoke. On your reminder I wrote to the Home Minister. I also showed you his reply and the Minister for Parliamentary Affairs has also said it. The sentiments of the Members will be conveyed to the Home Minister for whatever further action is required in this matter I think let us now move on to Mr. Hanumantha Rao for his special mention.

SHRI M. A. BABY: There is something else involved. Hon. Deputy Chairman has given directions. I have quoted that and you must have perhaps heard that in your Chamber. On 24th and 25th you have given two directions This is the ruling of the Chair that either the Home Minister Mr. Buta Singh or anybody deputed by the Home Minister should come to the House and tell us. The Minister of State for Parliamentary Affairs has said that some enquiry process has started and they are just waiting for a report. It is more than a month almost. So the ruling given by the Chair has to be respected. It is no more an issue concerning me. It is the honour of the House and honour of the ruling given by the Chair that has to be protected.

THE DEPUTY CHAIRMAN: Okey, Mr. Baby, please take your seat.

SHRI SUNIL BASU RAY: (West Bengal): We want a definite assurance from the Minister that he will communicate the action taken by them.

THE DEPUTY CHAIRMAN: You want action or only an assurance? You want action, I suppose.

SHRI M. A. BABY: If you give a directive to the Minister, are they not bound by your direction? This is a direction given by the Chair.

THE DEPUTY CHAIRMAN: Please allow me to say a few things. As soon as you came and told me, on the same day I wrote a letter to the Home Minister to find out about the details of it. He sent a reply that action in going on, an inquiry is going on. I would request the hon Members to have a little patience because today is the last day of this session. The Home Minister cannot be brought here just now I would request the hon. Minister for Parliamentary Affairs to convey this message to the Home Minister and I assure you that the action that the Home Minister has written in his letter will be taken. But let the findings of the committee or whatever enquiry they are going into be there. Without having an enquiry, you cannot take action Now shall we go over to Mr Moturu Hanumantha Rao's Special Mention?

SHRI M. A. BABY: Madam, the Home Minister has already given an assurance.

THE DEPUTY CHAIRMAN: Mr. Baby, you are behaving just like a baby.

SHRI M. A BABY: I hope that you, Madam, wil behave like a mother also. You are the mother of this House. Mr. Amal Dutta was given an assurance.

THE DEPUTY CHAIRMAN: Mr. Amal Dutta is not a Member of this House.

SHRI M. A. BABY: Madam, I do not want to prolong this issue, but the point is that the Home Minister nas shown a volteface. He has withdrawn from his assurance.

THE DEPUTY CHAIRMAN: No, no.

SHRI M. A. BABY: He has violated the direction of the Chair. This should go on record. That is all I want.

THE DEPUTY CHAIRMAN: Now Mr. Amal Dutta is not a Member of this House. I am not aware of what happened between Mr. Amal Dutta and the Home Minister, either in the House or outside the House. But whatever happened in this House, I am aware of the situation. I am aware of your concern. I am aware that you came to me and I wrote a letter and the reply came immediately. You must admit that the Home Minister replied immediately and I showed it to you yesterday. I am sure whatever your feelings are, or the views of the rest of the Members are will be conveyed to the Home Minister. Now we have two Ministers. Okay, let us now move to Mr. Moturu's Special Mention, otherwise we have the Narcoitcs Bill stil to be taken up and we will have the whole night thinking about drugs.

Lathi Charge on the office-bearers of Kamgar Union of IDPL, Hyderabad

SHRI MOTURU HANUMANTHA RAO (Andhra Pradesh): Madam, I thank you for giving me this opportunity to make a Special Mention about severe lathi charge on the office bearers of the IDPL Hyderabad's Kamgar Union on 18th December and suspension of three of them from service uniustly from 23rd onwards. Eleven of the union leaders, including two women, were injured and hospitalised.